

28/5/82 (Item 1 from file: 16)

065216

Madison Industries and Duane Marine Salvage Inc (both s/v) have been indicted on charges of illegal chemical dumping.

339751

Chemical Marketing Reporter September 29, 1980 p. 5

Madison could face a fine of \$5.5 mil, and Duane \$1.446 mil. Madison allegedly sold dumping space to Rutgers-Nease for disposal of toxic chemical wastes into Madison's sewers. Duane allegedly discharged hazardous wastes into a landfill and a sewerage system. (article contains little further information)

\*USA United States \*2819000 \*Inorganic Chemicals NEC \*NO \*pollution  
regulate; \*Madison Industries; Duns No: 04-436-6847  
USA United States 2819000 Inorganic Chemicals NEC 93 pollution regulate;  
Madison Industries; Duns No: 04-436-6847  
USA United States 4468000 Marine Salvage 93 pollution regulate; Duane  
Marine Salvage  
USA United States 4468000 Marine Salvage 93 pollution regulate; Duane  
Marine Salvage  
USA United States 4953700 Hazardous Waste Storage & Disposal 93 pollution  
regulate  
USA United States 4953700 Hazardous Waste Storage & Disposal 93 pollution  
regulate

28/5/82 (Item 1 from file: 111)

0638752 DATABASE: NNI File 111

Laxity alleged on plant violations before toxic fire at Perth Amboy.

Blumenthal, Ralph

New York Times v129 Section B pB1 July 15, 1980

EDITION: Tue 019 col. in.

CODEN: NYT14

NAMED PEOPLE: McDonn, Scott--investigations

DESCRIPTORS: Perth Amboy, New Jersey--pollution; New Jersey. Department of  
Environmental Protection--investigations; Duane Marine Chemical Co.--  
investigations

LEVEL 1 - 56 OF 108 STORIES

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July 8, 1980, Tuesday, Final Edition

SECTION: First Section; Around The Nation; A9

LENGTH: 160 words

HEADLINE: Drums of Chemicals Explode In N.J. Industrial Park Fire

BYLINE: From news services and staff reports

DATELINE: PERTH AMBOY, N.J.

BODY:

An intense fire roared through an industrial park complex yesterday, destroying at least 15 buildings and spreading flames to a toxic waste storage site where drums of hazardous chemicals blew up, officials said.

Fire officials and Mayor George Otlowksi ordered the evacuation of several hundred people from a three-square block area near the complex, including the residents of a five-story building for the elderly. However, air samples

(c) 1980 The Washington Post, July 8, 1980

taken during the fire did not indicate any dangerous fumes.

Drums containing toxic chemicals were "shooting up in the air like jets" at the Duane Marine storage site, said Perth Amboy Fire Director Walter Ross. He said there were at least 200 drums of toxic chemicals at the site near the Raritan River.

The fire started about 9 a.m. less than 100 feet away at the Perth Amboy Industrial Center and was centered in the Esco Plastics Co. The sprinkler system in the complex apparently was not working.

Busmer Corp.

P.O. Box 19

Detroit Mich. 48217

Hoke Inc.

1 Tenakill Park

Lakewood Industrial Plaza  
8701

Cresskill, N.J. 07626

Hyatt Roller Bearing

Hartfield Avenue

Clarks, N.J. 07066

111 Marlows Run

Incont Corp.

L-3 Factory Lane

Poundbrook, N.J. 08808

Lockheed Electronics Corp.

P.O. Box 800

Midland Park, N.J. 07432  
Metz Metallurgical Corp.

3900 S. Clinton Avenue

South Plainfield, N.J. 07080

Nassau Recycle Corp.

586 Richmond Valley Rd.

Staten Island, N.Y. 10307

Orbit Tool and Die Corp.

54 Faden Rd.

Springfield, N.J. 07081

Port Authority Trans-

Hudson Corp.

1501 US 22

Plainfield, N.J. 07068  
Midland Glass Co. Inc.

Cliffwood Avenue

Cliffwood, N.J. 07721

NL Industries Inc.

111 Broadway

New York, N.Y. 10006

Paintmaster

1920 Route 37 East

Toms River, N.J. 08053

Revlon Inc.

767 5th Avenue

303 Warren Street  
07302

New York, N.Y. 10022 Jersey City, N.J.

Rusty Scupper Restaurant

Sealand Marine Terminals

1210 Corbin Street

3 Essex Green Plaza  
ge, N.J. 07052

Elizabeth, N.J. 07207 West Oran

Tempcon

Tenneco Chemicals Inc.

11 Suffern Rd.

Park 80 Plaza West

Millburn, N.Y. 10931

Saddle Brook, N.J. 07762

Two Guys Department Store

West Essex Printing Plates Inc.

174 Passaic Avenue

P.O. Box 749

Passaic, N.J. 07055

Caldwell, N.J. 07006

/CONTACT -- Rich Cahill of EPA at 212-264-2515/

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7/28/5/2-3

found to be highly toxic  
Until EPA rock anti-  
access.

has been secured against public access 20-40

The following is a list of the companies to whom EPA issued the order:

American Can Inc.

S & S Electroform Co.

Piercen Avenue

15-18 Commerce Street

Edison, N.J. 08837

Springfield, N.J. 07081

Bell Laboratories

Bird & Son Inc.

600 Mountain Avenue

210 Andy Avenue

Murray Hill, N.J. 07081

Murray Hill, N.J. 07974

Chevron USA Inc.

Consolidated Rail Corp.

30 Rockefeller Plaza

6 Penn Center Plaza

New York, N.Y. 10112

Philadelphia, Pa. 19103

Cosden Oil & Chemical Co. Inc.  
Petroleum Bldg.

Diamond Shamrock Corp.  
P.O. Box 435

Big Spring, Texas 79720

Staten Island, N.Y. 10302

Duane Marine Salvage Corp.

E. Carter Corrington, Attorney for

P.O. Box 435

Township of Manwah

Staten Island, N.Y.

41 Main Street

Hackensack, N.J. 07601

East ern Sterling Plastics

Ford Motor Co.

Main Street

American Road, RM 1128

Windsor, N.J. 08561

Dearborn, Mich. 48127

General Electric Co.

General Motors Corp.

3135 Easton Avenue

J.J. Hollis, Office of

Fairfield, Conn. 06431

General Counsel  
2044 West Grand Blvd.

Detroit, Mich. 48202

Gusmer Corp.

Hoke Inc.

P.O. Box 110

1 Tenakill Park

Lakewood Industrial Plaza  
8701

Cresskill, N.J. 07626 Lakewood, N.J. 0

Hyatt Roller Bearing

Inmont Corp.

Westfield Avenue

L-5 Factory Lane

Clark, N.J. 07066

Boundbrook, N.J. 08805

ITT Marloma Pump

Lockheed Electronics Corp.

P.O. Box 200

1501 US 22

Midland Park, N.J. 07432  
Met: Metallurgical Corp.

Plainfield, N.J. 07061  
Midland Glass Co. Inc.

The U.S. Environmental Protection Agency orders 35 companies to remove hazardous wastes at Duane Marine Salvage Corp. facility in Perth Amboy, N.J.

PR Newswire NYPR83 Dec 12, 1984

illustration: table

AVAILABILITY: FULL TEXT Online LINE COUNT: 00087

GEOGRAPHIC CODE: NNUSLNS

GEOGRAPHIC LOCATION: New Jersey

SIC CODE: 9511; 4753

CAPTIONS: (Companies ordered to remove wastes.)

COMPANY NAME(S): Duane Marine Salvage Corp.--management

DESCRIPTORS: United States. Environmental Protection Agency--rules and regulations; Perth Amboy, New Jersey--pollution; hazardous substances--New Jersey; hazardous waste management industry--rules and regulations;

hazardous wastes--rules and regulations; liability for hazardous substances pollution damages--rules and regulations

NEW YORK, Dec. 12 /PRNewswire/ -- The U.S. Environmental Protection Agency (EPA) has ordered 35 companies it believes helped create a hazardous situation at a facility in Perth Amboy, N.J., to start removing the wastes at the site by next month. If not, the agency will do the work itself and could bill the companies for up to three times the cost of the cleanup.

The facility, Duane Marine Salvage Corp., located at 26 Washington Street, presents a threat

to public health and the environment due to the presence of hazardous substances (among which are polychlorinated biphenyls (PCBs), benzene, chlorobenzene, trichloroethylene, trichloroethane and heavy metals), according to the agency.

EPA Regional Administrator Christopher J. Daggett said, "We are concerned about the potential for direct public contact with these wastes, and want them removed without further delay. Since Nov. 27, we have been paying for site security during the day and early evening. In addition, Perth Amboy Police are making periodic checks during the unserved hours."

The order, which becomes effective on Dec. 14, requires the companies to submit a detailed work plan by Dec. 28 that will describe how they will perform specific activities. Work at the site

should begin during the early part of January. The companies are also required to immediately post 24-hour security at the site.

EPA's order, issued unilaterally under Section 106 of Superfund, requires the companies to:

-- conduct sampling and analysis of the contents of every container on the site, all spilled material and all contaminated soil.

-- dispose of all wastes at EPA-approved hazardous waste facilities.

-- properly dispose of all drums off-site and their contents, the contents of all tanks, rolloff containers, trailers, any other vessels or containers on the property, and all visibly contaminated soils which exist on the property.

#### SITE BACKGROUN

The Duane Marine Salvage Corp. used the facility between 1975 and July of 1980 for the blending, storage, transfer, treatment, and ultimate disposal of many of those wastes handled by the company. The site was abandoned following a major fire in July of 1980.

Solid and liquid chemical wastes and sludges, including hazardous substances are still present at the site. Some of the hazardous substances are being released, or threaten to be released, into the environment, from spills and leaking 55 gallon drums, as well as leaking trailers and rolloff containers on the property. Many of the substances have been tested and found to be highly toxic and even carcinogenic.

Until EPA took action, the site had not been secured against public access.

The following is a list of the companies to whom EPA issued the order:

American Can Inc.

B & E Electroform Co.

... said the department was conducting further air tests at the island and Perth Amboy, but said results would not be immediate.

He said the intense fire apparently destroyed any hazardous materials it was carrying them into the air.

The department said some of the material at the site included solvents, cyanides, styrene and other explosive materials. "Of course there are toxic materials" at the site, said Paul Giardina, director of the state's hazardous waste management program.

But fire inspector Victor Paone said he inspected the site last week and found nothing toxic.

And Ed Lecarreux, one of the owners, said the facility receives industrial oil and solvents for resale and does not store toxic chemicals.

"If there was cyanide in there, I wouldn't be standing here," he told a reporter at the scene.

The fire started about 9 a.m. less than 100 feet away at the Perth Amboy Industrial Center and was centered in the Esco Plastics Co. More than 100

The Associated Press, July 7, 1980

firefighters at the scene were driven back by intense heat and sprayed water from across the street.

Containers in the plastics plant were exploding and firefighters wore breathing apparatus.

Two firefighters were taken to Perth Amboy General Hospital where they were being treated for smoke inhalation. No other injuries were reported.

Flames quickly spread from the plastics company to other buildings in the complex, built 90 years ago and joined by a maze of passageways and no firewalls, said Paone.

Witnesses said several walls in the complex collapsed with a loud crash. Some of the buildings were vacant.

"The flames jumped halfway across the street and we couldn't touch our windows because they were too hot," said Darren Wirberg, an employee of the Perth Amboy Iron Works, across the street from the complex.

At least 15 businesses were destroyed, said Paone, who called it "the worst fire I ever saw."

The Associated Press, July 7, 1980

Foss said the fire apparently started on the third floor of Perth Packaging, a mail order firm next door to the plastics company.

He said two maintenance employees called in the alarm and the sprinkler system in the complex apparently was not working.

About 350 persons work at the complex. Paone said the facility was used by the General Cable Co. in the 1930s and 1940s.

LEVEL 1 - 97 OF 102 STORIES

The Associated Press

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July 7, 1980, Monday, AM cycle

SECTION: Domestic News

LENGTH: 590 words

BYLINE: by JAY SCHREIBER, Associated Press Writer

DATELINE: PERTH AMBOY, N.J.

KEYWORD: Plastics Fire

BODY:

Explosions and an intense fire roared through an industrial park complex Monday, destroying at least 13 buildings and spreading flames to a chemical storage site where dozens of drums blew up, officials said.

The Associated Press, July 7, 1980

Thick, black smoke was visible for 20 miles as it drifted over the heavily populated New York City borough of Staten Island.

Fire officials and Mayor George Otisowski ordered the evacuation of a three-square-block area near the complex and of a five-story building for the elderly. Several hundred people were relocated.

Power went out in a 15-block area of Perth Amboy and a fire company relocated at a schoolhouse, Otisowski said.

Dozens of 55-gallon drums containing unidentified chemicals were hanging in the air like jets at the Duane Marine storage site, said Perth Amboy Fire Director Walter Ross. He said there were at least 200 drums of toxic chemicals at the site near the Raritan River.

The storage site is licensed by New Jersey to treat both chemical and oil waste material, according to the state Department of Environmental Protection.

Paul Arbesman, the department's assistant commissioner for management, said air samples of the smoke taken during the fire did not indicate any dangerous fumes.

The Associated Press, July 7, 1980

Arbesman said the department was conducting further air tests in Staten Island and Perth Amboy, but said results would not be immediately available.

He said the intense fire apparently destroyed any hazardous materials without carrying them into the air.

The department said some of the material at the site included solvents, cyanides, styrene and other explosive materials. "Of course there are toxic materials" at the site, said Paul Giardina, director of the state's hazardous waste management program.

But fire inspector Victor Peone said he inspected the site last week and found nothing toxic.

And Ed Lecarreaux, one of the owners, said the facility recycles industrial oil and solvents for resale and does not store toxic chemicals.

"If there was cyanide in there, I wouldn't be standing here," he told a reporter at the scene.

The fire started about 9 a.m. less than 100 feet away at the Perth Amboy Industrial Center and was centered on the Zoro Plastics Co. Co. then 100.

As the fire spread to the nearby chemical distal company, the Duane Marine Chemical Company, 55-gallon drums of chemical wastes soared more than 100 feet into the air, a state official said.

The smoke drifted toward the Tottenville section of Staten Island, and New Jersey officials urged residents whose homes lay in the path of the smoke to stay indoors.

"We want the people of the City of New York to know we found nothing toxic in the smoke," said Col. Clinton Pagano, superintendent of the New Jersey State Police, as the first results of environmental tests were released. This

(c) 1980 The New York Times, July 2, 1980

evening. "There was no toxic fallout."

#### Test Made by Helicopter

The results were based on samples air taken near the smoke plume by a Federal Environmental Agency helicopter. Other samples of air and water taken by the E.P.A., the New Jersey Department of Environmental Protection and the Coast Guard were to be evaluated tonight at the E.P.A. laboratory in Edison, N.J.

Duane Marine had been licensed by the state to treat and recycle chemical and oil wastes. But state environmental officials in the past two years have charged the company with illegally storing toxic wastes at the site, and have obtained an order in Superior Court in New Brunswick directing the company to remove all but 3,000 barrels of chemicals.

At the time of the fire, officials said, there were 2,657 barrels at the plant, including solvents, glues, starches, soaps and plastics.

Alden McLellan, assistant commissioner for science in the State Department of Environmental Protection, said the heat, estimated at 2,500 degrees, had apparently safely incinerated the solvent, and favorable wind kept the plume of potentially hazardous smoke away from residential areas.

(c) 1980 The New York Times, July 2, 1980

The fire brought together many of the same officials who are overseeing the cleanup of the explosion and fire last April 21 in the Chemical Control Corporation along the waterfront in Elizabeth, where tens of thousands of barrels of toxic chemicals and solvents exploded.

As a precaution today, the New York City Police and Fire Departments set up temporary headquarters at the corner of Arthur Kill Road and 11th Street on Staten Island. Six emergency medical service ambulances were standing by as New York City air resources technicians took air samples. Late today the police of Staten Island said tests of showed there was no danger to the public.

#### Evacuation Plan Ready

In Perth Amboy, state and local officials prepared an evacuation plan that would have been put into effect if wind directions had changed and blown the dense smoke over residential areas in the northern end of the city.

"If the wind had shifted back this way, you would have been talking about evacuating thousands of people," said William Fortner, the Perth Amboy Civil Defense director. "It would have been a real disaster."

(c) 1980 The New York Times, July 2, 1980

GRAPHIC: Illustrations: photo of fire photo of firefighters (page 35)



LEVEL 1 - 75 OF 102 STORIES

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The New York Times

July 8, 1980, Tuesday, Late City Final Edition

SECTION: Section A, Page 1, Column 2: Metropolitan Desk

LENGTH: 841 words

HEADLINE: CHEMICALS EXPLODE AS FIRE RUINS JERSEY INDUSTRIAL PARK

BYLINE: By JOSEF BARBANEL

DATELINE: PERTH AMBOY, N.J., July 7

#### BODY:

A fire punctuated by scores of explosions of chemical drums roared through seven buildings of an industrial park here today, destroying the complex before being brought under control 11 hours after it started.

Among the plants destroyed was a chemical disposal company, leading to concern by some officials about possible chemical contamination here and

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across the Arthur Kill in Staten Island. Tests of the air in both locations, however, found no immediate sign of toxic fumes, officials reported.

Victor Paone, the chief fire inspector in Perth Amboy, said the fire was "definitely suspicious" because of the intense heat and flames when firefighters first arrived. He said that investigators planned to interview two maintenance workers who reported the blaze "to find out what they can lead us to."

#### 600 Left Without Jobs

Walter Ross, the City Fire Director, would not say whether he considered the fire suspicious, and he added that because of the intense heat, "the cause of the blaze may never be known."

About 250 people, including 50 elderly residents of a housing project, were asked to leave their homes for several hours as the turn-of-the-century gabled brick buildings collapsed, one after the other, in a thunderous roar, but there were no serious injuries.

"Six hundred people have been thrown out of work," said Mayor George Dlubski of Perth Amboy. He said that 16 businesses, including a printer, textile firm, a gunsmith and a metal processing plant, had occupied the

(c) 1980 The New York Times, July 8, 1980

four-square-block site. The complex, which until a decade ago was occupied by the General Cable Company, is known as the Perth Amboy Industrial Center.

The gray-black plume of smoke was visible from 20 miles away, and it turned the bright afternoon sunshine into a dark fog. "There were windows blowing out, sounds of explosions and walls coming down right in the street," said Darren Wickberg, an ironworker who arrived shortly after the fire broke out in a third-floor warehouse of the Perth Amboy Packaging Company, a mail-order firm, at 24 Washington Street at 8:55 A.M. The fire was declared under control at 7:23 P.M., but continued to smolder and burn into the night.

As the fire spread to the nearby chemical disposal concern, the Duane Marine Chemical Company, 55-gallon drums of chemical wastes soared more than 100 feet into the air, a state official said.

The smoke drifted toward the Tottenville section of Staten Island, and New Jersey officials urged residents whose homes lay in the path of the smoke to stay indoors.

The fire is believed to have started in a building at Perth Amboy, New Jersey, which was being operated by the city. The fire was one of a large fire that had been seen to leave for several hours during the day, after a plane crashed just before 5 a.m. in a building at Perth Amboy.

The officials feared there might be toxic fumes in the smoke, although they said late Monday tests showed the fire did not pose a serious health danger.

Many people who had been asked to leave during the day, and some residents of a nearby citizens' complex several blocks from the fire, declined to offer their city to be evacuated.

#### The Associated Press, July 8, 1980

Perth Amboy Mayor George Dtlowski said the fire destroyed 14 businesses, leaving hills of smoking rubble where a square block of buildings that employed almost 600 people once stood.

Hundreds of firefighters, aided by fireboats from the Coast Guard and New York City, contained the fire by mid-afternoon.

Paul Arbesman, assistant commissioner for the Department of Environmental Protection, said the agency flew a helicopter into a thick smoke cloud that was visible for 20 miles as it drifted east toward New York, but found no evidence of toxic materials.

Arbesman said the intense heat and flames quickly incinerated the chemicals, reducing the likelihood of toxic fumes.

"But we're also fortunate the prevailing winds took this heavy smoke away from populated areas," he said.

Firemen didn't wear masks while they were fighting the blaze, and five firefighters were treated for smoke inhalation and heat exhaustion at Perth Amboy Hospital and released.

#### The Associated Press, July 8, 1980

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"But we're also fortunate the prevailing winds took this heavy smoke away from populated areas," he said.

Firemen didn't wear masks while they were fighting the blaze, and five firefighters were treated for smoke inhalation and heat exhaustion at Perth Amboy Hospital and released.

#### The Associated Press, July 8, 1980

City fire officials said the fire started in a three-story brick building used by Perth Packaging, a mail-order house.

Chemical drums stored at Duane Marine, a company that recycles industrial oils and solvents, worried authorities most.

Ed Lacarreau, co-owner of the Duane Marine, insisted all toxic wastes were removed a year ago.

The Associated Press

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July 8, 1980, Tuesday, PM cycle

SECTION: Domestic News

LENGTH: 420 words

HEADLINE: Residents Evacuated Twice After Block Burned

BYLINE: By JAY SCHREIBER, Associated Press Writer

DATETIME: PERTH AMBOY, N.J.

KEYWORD: Plastic Fire

BODY:

Smoke from a fire that incinerated 2,000 drums of hazardous solvents and

The Associated Press, July 8, 1980

destroyed a square block of industrial buildings forced officials to ask several hundred people to evacuate their homes twice in 10 hours.

Perth Amboy Police Chief Paul Jankovich said police officers went door to door on two streets beginning at 9:30 p.m. Monday, alerting residents of about 40 homes after state Department of Environmental Protection officials became concerned that the drifting smoke might shift direction and spread over the area.

Residents were asked to evacuate and stay overnight with relatives or at two emergency centers being operated by the city. They were part of a larger group that had been asked to leave for several hours during the day, after a blaze erupted just before 9 a.m. in a building at the Perth Amboy Industrial Complex.

The officials feared there might be toxic fumes in the smoke, although they said late Monday tests showed the fire did not pose a serious health danger.

Many people who had been asked to leave during the day never did. Most residents of a senior citizens' complex several blocks from the fire declined an offer from the city to be evacuated.

The Associated Press, July 8, 1980

Perth Amboy Mayor George Otowski said the fire destroyed 10 buildings, leaving hills of smoking rubble where a square block of buildings that employed almost 600 people once stood.

Hundreds of firefighters, aided by fireboats from the Coast Guard and New York City, contained the fire by mid-afternoon.

Paul Arbesman, assistant commissioner for the Department of Environmental Protection, said the agency flew a helicopter into a thick smoke cloud that was visible for 20 miles as it drifted east toward New York, but found no evidence of toxic materials.

Arbesman said the intense heat and flames quickly incinerated the chemicals, reducing the likelihood of toxic fumes.

"But we're also fortunate the prevailing winds took this heavy smoke away from populated areas," he said.

Firemen didn't wear masks while they were fighting the blaze, and five firefighters were treated for smoke inhalation and heat exhaustion at Perth Amboy Hospital and released.

LENGTH: 502 words

HEADLINE: 6 JERSEY FACTORIES CLOSED AS FUMES IF FIRE LINGER

BYLINE: BY ROBERT HANLEY

DATeline: PERTH AMBOY, N.J., July 8

PODY:

Toxic fumes drifting from the smoldering rubble of a one-city-block industrial complex and chemical storage depot destroyed by yesterday's long fire prompted state officials to close six nearby factories today and send 5,000 workers home.

(c) 1980 The New York Times, July 9, 1980

State health and environmental officials said they ordered the closings as a precaution after detecting levels of toxic hydrogen chloride — a byproduct of burning polyvinyl chloride, a plastic — that exceeded Federal safe exposure levels for workplaces.

About 9:30 A.M., an air sample taken on the street next to the ruins yielded a hydrogen chloride reading of 15 parts per million, according to the State Department of Environmental Protection. Maximum eight-hour occupational exposure for hydrogen chloride is five parts per million under Federal regulations.

By late afternoon, no hydrogen chloride was detectable outside the ruins. Officials attributed the disappearance to brisker breezes and smaller volumes of smoke rising from the rubble. They said the level of the toxic substances, which irritate the respiratory system and mucous membranes in the throat — could vary with winds dissipating the smoke.

#### Evacuation Order Rescinded

As atmospheric conditions improved, Mayor George L. Otlowksi rescinded an order that had caused overnight evacuation of about 35 homes on three streets immediately south of the site.

(c) 1980 The New York Times, July 9, 1980

"There are no longer any dangers that the experts foresaw," Mayor Otlowksi said. He said the six factories could reopen tomorrow. The residential evacuation order was issued at 9 o'clock last night after experts detected fumes from several organic chemicals, including two carcinogens, benzene and toluene. Levels reported for them were well below workplace standards.

The overnight and daylong evacuation order was designed to remove 135 residents. But it seemed to be largely ignored in the densely populated Hispanic neighborhood. Only six people elected to stay at a Red Cross shelter. Throughout the day, curious onlookers lingered in the streets while others sat on porches and stoops, watching firemen.

"This was not a forced evacuation, it was advisory," Frank Marshall, the State Health Department's emergency response coordinator said.

The levels of the organic chemicals and the toxic hydrogen chloride were detected after the State Police Superintendent, Clinton L. Favaro, said late yesterday that "there was no toxic fallout" from the fire, which destroyed 21 companies and left about 600 workers jobless.

#### A Quick Assessment

(c) 1980 The New York Times, July 9, 1980

James Staples, a spokesman for the D.E.P., said Colonel Page's assessment was based on "very quick, primitive readings." Testing for organics, Mr. Staples said, takes several hours. And the hydrogen chloride, he added, turned up after the smoke that rose vertically throughout yesterday began hovering closer to the ground about nightfall.

Officials said they were unable to determine whether the toxic fumes had emanated from the destroyed factories or from the remains of Duane Marine Chemical Company, an adjacent chemical storage and recycling concern that lost its state operating permit in April 1979 for stockpiling too many drums of chemicals.

The Associated Press

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July 9, 1980, Wednesday, PM cycle

SECTION: Domestic News

LENGTH: 370 words

HEADLINE: High Levels of Toxic Material Found After Fire

BYLINE: By YVONNE CHILIK, Associated Press Writer

DATELINE: PERTH AMBOY, N.J.

KEYWORD: Plastics Fire

BODY:

Residents of a neighborhood hit by a raging industrial fire were sent home

The Associated Press, July 9, 1980

today as technicians monitored the air and water to make sure no traces of dangerous chemicals remained.

The Perth Amboy Industrial Park, destroyed Monday in an 11-hour blaze, still smolder for days, fire officials said. Authorities have not ruled out arson as the cause.

Police patrolled the area Tuesday evening, using bullhorns to announce in Spanish and English that it was safe to be outside.

The fire apparently started in a brick building used by Perth Packaging, a mail order house, and quickly spread to Esco Plastics Co. and other surrounding buildings, including Duane Marine Corp., where about 2,000 drums of chemicals were stored, said Bruce Comfort, DEP official.

About 200 people were advised to leave their homes for 13 hours, and another 20 to 30 families were warned to stay indoors Monday night after state Department of Environmental Protection monitors registered dangerously high levels of hydrogen chloride on two streets, said James Staples, a DEP spokesman.

However, tests taken late Tuesday showed the chemical had dissipated.

The Associated Press, July 9, 1980

"We hope this is the end of this situation except for the cleanup clear-up. We will continue to monitor the air and water," Staples said.

Hydrogen chloride, the chemical byproduct of burning poly-vinyl chloride, earlier had been found in the air in a concentration three times greater than federal health standards permit.

More than 2,000 workers from several companies, including Perth Amboy Dry Dock, Samson Electric Supply Co. and Schott Brothers, were sent home early Tuesday because of the toxic gases, said Mayor George Ottolenghi.

City officials said the blaze would strain the municipal budget because of a loss of tax payables. More than 600 jobs were lost when the blaze gutted the manufacturing complex, officials said.

Six firefighters were treated for smoke inhalation and heat exhaustion during the fire, said Fire Director Walter Ross.

"We don't know exactly what chemicals were stored at Duane Marine," Comfort said, adding the DEP does not require companies to file detailed inventories of chemicals stored on site.

(c) 1980 The New York Times, July 13, 1980

court fight to keep Duane Marine, proprietors of the chemical waste dump, from reopening.

#### A Dark Report on Long Island Water

Everybody talks about pollution and some things are even being done about it. But last week, a two-year study of toxic wastes in the drinking water of Long Island showed that, despite efforts to combat pollution, business was substantially as usual and chemicals were gradually contaminating even the purest drinking water. It concluded that state and Federal regulatory systems had failed.

The study was undertaken by the New York Public Interest Research Group, which reviewed 1,453 Federal and state discharge permits. It found that 100 Long Island companies were not following the controls on waterborne waste disposal and that fewer than 25 percent of the toxins found in the water were covered by the permits. Included are solvents and greases, spent oil and chemicals that do not dissolve readily in water.

The Deputy Administrator of the Federal Environmental Protection Agency, Charles S. Warren, said the study "made some vital points" but that the permit program had "been geared to toxic chemicals until just recently."

(c) 1980 The New York Times, July 13, 1980

The report also said that 65 companies on the island had avoided direct Federal and state regulation by discharging nearly 10 million gallons of contaminated waste water into municipal sewage systems every day.

It charged that the cumulative effect is an increased rate of cancer and other illnesses. It also noted that Long Island's cancer mortality rate is in the top 10 percent of the nation.

#### Artificial Flowers On the Money Tree

Job-training programs are supposed to teach people to make money, but some participants in a Brooklyn print shop program may have taken that objective too literally. Federal agents last week arrested four persons, including Clarence Briggs, director of the print training program for the Community Alliance for Youth in Action, and charged them with counterfeiting with equipment supplied by the program. A fifth person, a student in the government-supported program, was charged with possession of counterfeit money.

Apparently, the bogus bills weren't very convincing. Officials said an attendant at a gasoline station where the bills were passed took one for the money and jotted down the license plate number of the car.

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July 15, 1980, Tuesday, Late City Final Edition

SECTION: Section B; Page 1, Column 5; Metropolitan Desk

LENGTH: 281 words

HEADLINE: LAXITY ALLEGED ON PLANT VIOLATIONS BEFORE TOXIC FIRE ON PERTH ARBOY

BYLINE: BY RALPH BLUMENTHAL

BODY:

A former New Jersey environmental inspector said yesterday that he had found many violations last year at a Perth Arboy chemical waste plant that caught fire last week, but that his superior told him not to return there.

The inspector, Scott McCone, said that he and an accompanying technician had found leaking drums, a lack of spill prevention dikes and missing manifests on shipment, markings on drums at the Duane Marine Chemical Company last summer.

(c) 1980 The New York Times, July 15, 1980

But he said that when reported it to his supervisor, Carl P. Birns, chief of the Office of Hazardous Substance Control, he was ordered not to return for a follow-up inspection. Mr. McCone, now working in Chicago, said that Mr. Birns had given no reason and that he obeyed, but that he reported the incident to the state police.

Fire Caused Toxic Fumes

Mr. Birns was on vacation in the Middle West and could not be reached despite numerous attempts through his office. In earlier interviews, he deflected questions and denied any improprieties. He has acknowledged having accepted travel assistance from the Duane Marine company on a personal trip in 1978.

The Duane Marine disposal facility, on the Arthur Kill, facing Staten Island, caught fire July 7 in a blaze at the adjacent Perth Arboy Industrial Center, sending toxic fumes over the area. Officials are studying the possibility of arson.

The company has been under a cleanup order for nearly a year. The state agreed last August to allow the facility to keep operating on condition that it clean up the site and reduce the number of stored drums from 17,000 to 3,000 by Nov. 15. The conditions were not met until two weeks ago, according to state

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officials.

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July 20, 1980, Sunday, Late City Final Edition

SECTION: Section 4; Page 6, Column 1; Week in Review Desk

LENGTH: 1481 words

HEADLINE: BY DORTHY GALTER AND ALVIN DAVIS;  
PHOTO OF GOVERNER BYRNE;  
THE REGION;  
A Mixed Bag For Development Along East River

BODY:

... on Long Island and in the city's five boroughs said they were canceling customers who used less than 1,000 gallons last winter. Seventeen dealers have refused to serve new customers who plan to cut consumption this winter by 500 gallons or more from the amounts used by previous owners. And several dealers said they may charge a service fee if clients end up using less than a predetermined amount.

(c) 1980 The New York Times, JULY 20, 1980

N.J. Fire Puts the Boss on the Bridle

While public safety officials are still trying to determine the causes of recent toxic waste fires in Elizabeth and Perth Amboy, state police last week were conducting a different kind of investigation. It involves allegations that an inspector for the New Jersey Department of Environmental Protection said he had found many violations at the Duane Marine Company in Perth Amboy, but that his supervisor had ordered him off the case.

The inspector, Scott McCone, said he had found leaking drums, an absence of spill prevention dikes and missing shipment markings on discarded drums at the chemical waste plant. But, he added, when he reported it to his supervisor, Mr. F. Birne, chief of the Office of Hazardous Substance Control, he was ordered not to return for a follow-up check. Mr. McCone, now working in Chicago, said he obeyed the order but reported the matter to the state police.

Mr. Birne was on vacation last week and could not be reached for comment. In earlier interviews, he acknowledged certain favors from Duane Marine, including a helicopter flight from Pennsylvania to Staten Island, where a Duane Marine car drove him to Kennedy Airport. The company was characterized by a former New York State organized crime prosecutor, John D. Fine, as the target of a takeover effort by persons linked to organized crime.



the results of the search. Mr. Brennan said, "One of the cases that we are looking at is the case of Kit Enterprises, a chemical treatment firm in the Bronx that employs Mr. Ferrara, identified by law enforcement officials as a member of organized crime. An executive of Kit, Paul Francisco, reached by telephone, denied that Mr. Ferrara or the company was associated with organized crime and declined to discuss the matter further."

Mr. Steir responded that "Kit Enterprises is under active grand jury investigation by this Unit" but that it would take more time. "I can't manufacture evidence," he said. He added that all his contacts with Mr. Brennan, the police official had never mentioned the case to him.

Mr. Brennan responded that information about Kit came to strike force investigators at the same time it came to him.

#### Fear Confidentiality Was Broken

In another case, Mr. Corbin told The Associated Press that copies of an affidavit for a strike force search warrant of one chemical concern had later turned up at the homes and offices of other figures under investigation, raising fears that confidential informants may have been exposed.

(c) 1980 The New York Times, September 26, 1980

Copies of the document, issued to back up a search of Duane Marine, were later found at the home of Ronald Conlio, a Duane Marine employee and one of the men indicted Wednesday, and at the Sampson Tank Cleaning Corporation and the Jersey Sanitation Company.

A common denominator of those concerns, according to New York and New Jersey organized crime investigators, is John Albert who was recently indicted in a toxic dumping case in Massachusetts, although never in New Jersey.

Mr. Steir and Robert Winter, director of the strike force, said yesterday that an inquiry had shown nothing improper in the emergence of the affidavit. Unless sealed, they said, the document is available to the subject of the search and his lawyer - in this case, Warren Wilentz, the brother of the New Jersey Chief Justice, Robert N. Wilentz - and that they were free to copy it for anyone. There was no reason to ask for the sealing of the affidavit, they maintained, because no confidential data was in it.

The operation of the strike force, financed by \$2 million in Federal grants by the Environmental Protection Agency and the Law Enforcement Assistance Administration, has come under review by the House oversight and investigations subcommittee under Representative Robert C. Eckhardt, Democrat of Texas.

(c) 1980 The New York Times, September 26, 1980

Yesterday, the strike force's two state police investigators, Sgt. Richard Ottens and Sgt. John Penney, testified under subpoena, presumably about what had happened to information they turned up.

LEVEL 1 - 55 OF 100 STORIES

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September 25, 1980, Friday, Late City Final Edition

SECTION: Section 8; Page 2, Column 1; Metropolitan Desk

LENGTH: 701 words

HEADLINE: JERSEY TOXIC WASTE PANEL CALLED LAX ON CRIME TIPS

BYLINE: BY RALPH BELMONT/HA

SUBJ:

A federally financed New Jersey strike force to combat toxic waste crimes came under attack yesterday from two local law enforcement officials for its alleged failure to act promptly on tips involving reputed figures in organized crime.

At the same time, a Congressional subcommittee went into closed session to take a second day of testimony from two New Jersey state police investigators assigned to the strike force. The subject was described only as the

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involvement of organized crime in the dumping of hazardous waste.

Edwin Steir, director of the New Jersey Department of Criminal Justice, a major component of the two-year-old Interagency Hazardous Waste Strike Force, denied any laxity but conceded in an interview that there may have been "failures of communication" in a case involving a figure allegedly involved in organized crime in New Jersey who was recently indicted in Massachusetts.

Chemical Concerns Indicted

In an apparently unrelated development, New Jersey indicted two chemical concerns and six executives and employees on Wednesday on multiple charges of illegal dumping. The cases were brought against the Duane Marine Chemical Company of Perth Amboy - the site of a suspicious fire last July 7 - and four company officials, including its president, Edward Lecarreux; and Madison Industries of Old Bridge, N.J. Also indicted in that case was Vincent Fox, a corrections officer at Rahway State Prison. Arraignment was scheduled for next week.

The criticism of the strike force was voiced by the police director of Elizabeth, N.J., Joseph Brennan, and the Middlesex County assistant prosecutor, Robert Corbin.

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"A lot of information has been turned over to them and people want to see the results," Mr. Brennan said. One of the cases that he contended was overdue for action concerned Kit Enterprises, a chemical treatment facility in Elizabeth that employs John Ferrara, identified by law enforcement officials as a member of organized crime. An executive of Kit, Paul Franciocco, reached by telephone, denied that Mr. Ferrara or the company was associated with organized crime and declined to discuss the matter further.

Mr. Steir responded that "Kit Enterprises is under active grand jury investigation by this unit" but that it would take more time. "I can't manufacture evidence," he said. He added that in all his contacts with Mr. Brennan, the police official had never mentioned the case to him.

Mr. Brennan responded that information about Kit came to strike force investigators at the same time it came to him.

Fear Confidentiality Was Broken

In another case, Mr. Corbin told The Associated Press that copies of an affidavit for a strike force search warrant of one chemical concern had later turned up at the homes and offices of other figures under investigation, raising fears that confidential informants may have been exposed.

In 1976, when Angelo Di Ianni, a ...  
... F. Hyland, the former ...

(c) 1980 The New York Times, October 18, 1980

office was investigating a link between the killing and a dispute in the scavenger industry. The murder is still unsolved.

Among those indicted were Tino Fiumara, Michael Lopez, and ...  
... indicted as members of organized crime ...  
... three have been convicted of extortion. Mr. Fiumara and Mr. Lopez are also  
... convicted of waterfront racketeering and are in federal prison. Mr. Fiumara  
... scheduled to surrender on Monday, a spokesman for Mr. DeLoach said.

The two chief targets of the indictment are the New Jersey Trade Waste Association, which has 140 members that provide garbage collection services in Somerset, Bergen, Essex, Middlesex, Monmouth, Morris, Passaic and Union Counties, and the Hudson County Sanitation Association, which represents the 15 companies operating in Hudson County.

Mr. Stier said the trade association in South Hackensack was formed in July 1976 to effect and enforce the agreement among garbage collectors in all the counties except Hudson. According to the indictment, the association met weekly either at the Crows Nest Restaurant in South Hackensack or at Snuffy's 11 Restaurant in Somerville to resolve disputes among its members.

#### Contract Dispute Outlined

(c) 1980 The New York Times, October 18, 1980

The indictment outlined how the alleged conspiracy operated in the case of Hollywood Memorial Park in Union, which terminated its contract with Browning-Ferris Industries of Elizabeth because of a price increase and engaged instead Statewide Environmental Contractors, Inc.

John M. Gentempo, a vice president of Browning-Ferris, complained to the association that his company's "property rights" had been violated by Statewide. A grievance hearing was held at Snuffy's 11 Restaurant and Statewide was ordered to return the contract to Mr. Gentempo's company.

Statewide subsequently informed Hollywood Memorial that it was raising its price approximately 50 percent (\$40 a container). Browning-Ferris then offered a contract \$10 per container less than the new, inflated price demanded by Statewide and got its old contract back, according to the indictment.

The list of defendants also includes: Arace Brothers of East Orange, Bergen Disposal Inc. of Elmwood Park, A. Capone Sanitation of Paterson, Coast Disposal Service Corp. of Middlesex, Duane Marine Salvage Corp. of Perth Amboy, Five Brothers Carting Co. Inc. of Jersey City, Carmine Franco and Co. of Hillsdale, Highway Disposal Corp. of Garwood, Haulaway Inc. of Hoboken, ISA in New Jersey Inc. of Mahwah, Inter County Refuse Service Inc. of South Branchburg, K and V Disposal Corp. of Keasbey, Modern Industrial Waste

(c) 1980 The New York Times, October 18, 1980

Service Inc. of Radcliffbrook, Pinto Service Inc. of Lodi, A. Rizzo Carting Inc. of Wayne, Louis T. Roselle Inc. of Livingston, Nicholas Enterprises Inc. of Paterson, Central Jersey Disposal Service Inc. of Somerset, Home and Industrial Disposal Service of Plainfield.

The individuals named were all officers of the listed companies.

LEVEL 1 - 97 OF 102 STORIES

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October 18, 1980, Saturday, Late City Final Edition

SECTION: Section 2; Page 27, Column 1; Metropolitan Desk

LENGTH: 776 words

HEADLINE: GARBAGE HAULING CONSPIRACY IN NINE NEW JERSEY COUNTIES INDICTED ON  
CONSPIRACY CHARGES

BYLINE: By JOSEPH F. SULLIVAN, Special to the New York Times

DATELINE: TRENTON, Oct. 17

BODY:

A statewide grand jury today indicted two garbage industry trade associations, 24 corporations and 22 individuals, including some identified as members of organized crime, on charges of conspiring to control commercial garbage contracts in nine northern New Jersey Counties.

(c) 1980 The New York Times, October 18, 1980

The associations controlled approximately 35 per cent of the total garbage collection revenues in the state, or about \$46 million annually, John J. Degnan, the State Attorney General, said. Officials said they could not estimate how much the alleged conspiracy might have inflated the prices of garbage collection for the haulers' clients, establishments such as restaurants, hospitals and offices.

Mr. Degnan said the indictment resulted from a three-year Federal and state investigation that went to the grand jury after the Federal Bureau of Investigation made available a "key witness." The witness is in the Federal witness protection program, and is expected to testify at the forthcoming trial in Somerset County.

Edwin H. Otter, the director of the State Division of Criminal Justice, said the investigation was continuing in other counties and would be extended to possible collusion in municipal scavenger contracts and "reports of all types of violence."

Investigation in 1976

In 1976, when Angelo Di Nardi, a Somerset County garbage contractor, was slain, William F. Hyland, the former Attorney General, indicated that the

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Office was investigating a link between the killing and a dispute in the scavenger industry. The murder is still unsolved.

Among those indicted were Tino Fiumara, Michael Coppolla and Lawrence Ricci, all identified as members of organized crime by law enforcement officials. All three have been convicted of extortion. Mr. Fiumara and Mr. Coppolla were also convicted of waterfront racketeering and are in federal prisons. Mr. Ricci is scheduled to surrender on Monday, a spokesman for Mr. Degnan said.

The two chief targets of the indictment are the New Jersey Trade Waste Association, which has 140 members that provide garbage collection services in Somerset, Bergen, Essex, Middlesex, Monmouth, Morris, Passaic and Union

Proprietary to the United Press International 1980

December 2, 1980, Tuesday, EC cycle

SECTION: Regional News

DISTRIBUTION: New Jersey

LENGTH: 267 words

DATELINE: TRENTON

KEYWORD: Duane-Naj

BODY:

Duane Marine Salvage Corp., charged in December with illegally dumping more than 500,000 gallons of toxic pollutants, was indicted Tuesday on charges of embezzling state sales taxes and filing false tax returns.

The state grand jury indictment also named the president of the Perth Amboy chemical disposal corporation, Edward LeCarreaux, 44, of Staten Island, N.Y.

Proprietary to the United Press International, December 2, 1980

Edwin Stier, director of the Division of Criminal Justice, said the indictment charged LeCarreaux and the firm with 19 counts of generating about \$99,000 in state sales taxes collected from customers from January 1976 to June 30, 1978.

The indictment also charged LeCarreaux and his company with four counts of filing false sales tax returns by not reporting about \$15,000 in taxes collected between Oct. 1, 1977 and Sept. 30, 1978.

Stier said the sales taxes were collected from customers who paid Duane Marine for disposing of chemicals and for salvage operations.

The firm heavily damaged during an industrial chemical fire last July that ruined dozens of businesses, was indicted Sept. 24 on charges of illegally disposing of more than 500,000 gallons of toxic pollutants into the Perth Amboy sewer system.

The sales tax case was investigated by the Economic Crime Section of the Division of Criminal Justice and the state Division of Taxation in the Department of Treasury.

Proprietary to the United Press International, December 2, 1980

The case was sent to Middlesex County for trial.

Embezzlement is punishable on conviction by up to three years in prison and a \$1,000 fine on each count. The filing of false tax returns is punishable by up to a year in prison and a \$1,000 fine.

Edwin H. Stier, director of the New Jersey Division of Criminal Justice, said Kaufman has worked with a state organized crime strike force for 1 1/2 years. He described him as "one of the most important witnesses that the state of New Jersey has in criminal prosecutions."

He said Kaufman's testimony has resulted in a pending indictment of 32 companies in what Stier described as a "very broad conspiracy" to take over waste disposal in the state.

One of those under indictment in New Jersey, John Albert of North Brunswick N.J., appeared under subpoena to deny Kaufman's testimony of mob control.

Albert, who is implicated in his involvement with the Chemical Control Corp. of Elizabeth, N.J., called Kaufman "a whore" who was telling the committee

The Associated Press, December 16, 1980

"what you want to hear," and denied allegations of his mob involvement.

Albert invoked his Fifth Amendment right against self-incrimination 20 times during the hearing in refusing to answer questions, saying anyone could prejudice his approaching trial.

Kaufman said his knowledge of the situation comes from years in the garbage business in the New York and New Jersey area, notably with a hazardous waste disposal company called Duane Marine at Perth Amboy, N.J.

Kaufman charged that commercial garbage disposal has long been mob controlled, with exclusive territories staked out and territorial claims enforced by the Gambino family of the Mafia.

From that base, he said, organized crime is moving into hazardous waste, obtaining chemical waste disposal licenses and operating with the same type of territorial structure.

He said he was not aware from personal knowledge of mob involvement in companies established just for hazardous wastes, only of the expansion of existing solid waste companies.

The Associated Press, December 16, 1980

Kaufman said within his own firm, Duane Marine, the practice was to have a hazardous chemicals and store them in their original drums on the Perth Amboy waterfront with no attempt at permanent disposal.

He said the practice was similar to that at Chemical Control, where a disastrous explosion and fire occurred early this year and which Kaufman said also was under mob control. He said Albert had described himself earlier as Chemical Control's owner, a point Albert vehemently denied.

Kaufman said Duane Marine was "a complete fraud. We had no facilities whatsoever" for the proper disposal of toxic chemicals. Yet, he said, the company was easily granted a license to handle chemical wastes.

He said most of the companies sending wastes to Duane Marine were not involved.

"Ninety-nine percent of those companies thought Duane Marine had the facilities," he said. "A lot of these companies wanted to follow the law. If they hadn't, they wouldn't have brought the stuff to us, because we were charging a lot of money."

LEVEL 1 - 84 OF 102 STORIES

The Associated Press

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December 16, 1980, Tuesday, AM cycle

SECTION: Washington Dateline

LENGTH: 690 words

HEADLINE: Government Witness Says Organized Crime Getting Into Chemical Waste Disposal

BYLINE: By WILLIAM KRONHOLM, Associated Press Writer

DATETIME: WASHINGTON

KEYWORD: Toxic-Mafia

The Associated Press, December 16, 1980

**BODY:**

A government informer told Congress on Tuesday that organized crime is taking control of the hazardous chemical waste business in New Jersey and reaping huge profits by charging for proper disposal and then either dumping or storing the chemicals.

The witness, Harold Kaufman, told a House Commerce subcommittee that hazardous waste disposal is far more lucrative to organized crime than the solid waste disposal business, which he said is already controlled by mob families.

He said disposal firms can charge legitimate companies 20 times the disposal rate for ordinary waste, supposedly to allow for the complicated job of neutralizing or isolating the hazardous chemicals.

But instead, he said, the chemicals are either stored on a vacant lot somewhere, dumped indiscriminately or mixed with ordinary wastes and buried in landfills.

"It's so easy to mix toxic wastes with ordinary garbage, it isn't even funny," Kaufman told the investigations subcommittee.

The Associated Press, December 16, 1980

Kaufman testified under guard by U.S. marshals and Capitol police, his face shielded from photographers and the public. Those attending the session were forced to go through metal detector gates before entering the committee room, and their handbags and briefcases were searched.

Kaufman is now living under an assumed name under the federal witness protection program.

Edwin H. Stier, director of the New Jersey Division of Criminal Justice, said Kaufman has worked with a state organized crime strike force for 1 1/2 years and described him as "one of the most important witnesses that the state of New Jersey has in criminal prosecutions."

He said Kaufman's testimony has resulted in a pending indictment of 57 companies in what Stier described as a "very broad conspiracy" to take over waste disposal in the state.

One of those under indictment in New Jersey, John Albert of North Brunswick

August 2, 1981, Sunday, BC cycle

SECTION: Regional News

DISTRIBUTION: New Jersey

LENGTH: 141 words

DATETIME: TRENTON

KEYWORD: Duane-N.J.

BODY:

State Department of Environmental Protection officials have received permission to inspect the defunct Duane Marine Corp. grounds this week in Perth Amboy as a possible source of PCB contamination.

The state won an order last Friday in Superior Court in Middlesex County to check the site for the suspected carcinogen.

Proprietary to the United Press International, August 2, 1981

Doretta Brennan, a spokeswoman for the DEP, said Perth Amboy - where a site was found to contain the cancer causing agent several years ago but officials have been unable to locate the source.

In their continuing probe, officials went to court to get permission for inspection of the former salvage operation that has also been cited as a hazardous waste storage facility.

State investigators plan to explore the grounds of the now defunct inland site for what they suspect could be high concentrations of PCB's. Last year Duane Marine was caught in a huge industrial fire in Perth Amboy and has been out of operation since then.



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### 'Takeover' Bid And 'Too Much Heat'

In 1974, Mr. Kaufman testified, several reputed members of the LaPlaca and Gambino crime families in Brooklyn and Manhattan ordered the formation of a New Jersey waste haulers association. These figures, he said, included Mr. Polster of Teamsters Local 945; Peter LaPlaca and Mr. Fiumara; Jimmy Brown, also known as James Fialla, and Carmine Franco, described in other court papers as a "the most direct link" between Mr. Fiumara and the new waste-haulers trade group in New Jersey. Mr. Palmieri and Mr. Fiumara are serving prison terms for convictions unrelated to hazardous waste carting.

Separately, New Jersey criminal-justice records quote another informant, who reported at about the same time that organized crime "was conducting an attempt to takeover of this state's lucrative chemical oil and chemical industry."

Mr. Kaufman testified that he knew about the order for the formation of the trade association because the presidency of the group was first offered to his boss at the time, Mr. Macaluso.

Mr. Macaluso, who served as one of the three honorary co-presidents of the 1976 Democratic National Convention in Madison Square Garden and participated in part of its ceremonies, is currently on trial in Paterson, N.J., on charges of

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gripping officials in the Passaic County borough of Wanaque in connection with a municipal disposal contract for one of his companies, Statewide Environmental Contractors Inc. He is also a defendant in three other related cases.

### Offer Is Rejected

According to Mr. Kaufman, Mr. Macaluso turned down the presidency of the new association with the explanation: "Too much heat." Instead, the job went to Carmine Franco. A defendant in the Somerville antitrust case against the waste haulers, Mr. Franco pleaded guilty last September and was sentenced April 22 to six months in the county jail and a \$50,000 fine.

Somerset County Judge Arthur S. Meredith later approved Mr. Franco for a work-release program that permits him to serve his sentence at night and weekends and to work at his carting company during the day. Judge Meredith later explained in an interview that he regarded the allegations at the trial of influence by organized crime to be "hearsay and double-hearsay."

### The Biggest Contract: A History

An episode that became part of the court record in the Somerville case concerned solid-and chemical-waste disposal for the Ford Motor Company plants

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in Edison and Mahwah, N.J., which Mr. Kaufman called the biggest disposal contract in the state.

In 1978, the accounts show, Mr. Macaluso's company, Statewide Environmental, held a \$30,000-a-month contract to dispose of paint sludge and other waste from Ford. In May 1978, New Jersey instituted a system for transport documents to track hazardous waste.

Thereupon, Mr. Kaufman testified, Statewide arranged to subcontract the work to a licensed handler, the Duane Marine Chemical Company of Perth Amboy, N.J. But in reality, Mr. Kaufman said in testimony before a Congressional committee, Edward Lecarreux, the owner of the Duane concern, lacked proper disposal facilities.

Mr. Kaufman, who worked for Mr. Lecarreux for a time, said Duane Marine mixed the waste with garbage and carted it to solid-waste landfills or rolled the drums of sludge off the company's dock into the Arthur Kill.

In a recent plea-bargain, according to the New Jersey Division of Criminal Justice, Duane Marine pleaded guilty to reduced charges in connection with the 1980 dumping of 500,000 gallons of other waste into the Perth Amboy sewers and paid a \$25,000 fine.

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1984, dumping of 500,000 gallons of waste  
paid a \$25,000 fine.

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Meanwhile, Mr. Kaufman said in an interview, the Ford contract became an issue of violent contention between Statewide and another company, ISA in New Jersey Inc. That company is owned by Duane Marine, who, according to state testimony, "has powerful organized crime connections in New York City." ISA and ISA also received a mistrial in the antitrust prosecution.

According to Mr. Kaufman's account, a peaceful solution was arranged. When Statewide's contract with Ford expired, Mr. Kaufman testified, an agreement was made to rig the contract so that it would be awarded to ISA. Once ISA had the contract, Mr. Kaufman testified, it removed Duane Marine as the subcontractor and put in another licensed company, S & W Waste Inc., of Jersey City, which Mr. Kaufman said was partly owned by Mr. Mongelli of ISA.

Mr. Kaufman, who was then working for Duane Marine, filed a protest, known as a "grievance procedure," adjudicated by organized crime, to complicate that Duane Marine had a priority on the subcontract.

'Fabric of the Industry'

The New Jersey Attorney General's office, which prosecuted the antitrust case, said such procedures were examples of how organized crime directed and controlled the industry. Attorneys for defendants have called property rights

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and grievances "part of the fabric of the industry since it began," and have said allegations of organized-crime control are unrelated to the state's antitrust case.

The grievance session, Mr. Kaufman said, was held at a restaurant in Hasbrouck Heights, in Bergen County. One of the men who attended was Anthony Rizzo, a carting company owner who was also Mr. Palmieri's successor as business agent of teamsters local 945. Mr. Rizzo, also a defendant in the Somerville waste case, pleaded guilty with Mr. Franco last September and was also sentenced to six months in jail and fined \$50,000. He was also granted release by Judge Meredith. Mr. Rizzo was identified in the state's testimony memorandum in the case as an organized-crime figure.

Several weeks later, Mr. Kaufman testified, there was a record meeting at a diner in Ramsey, N.J., to announce "the results of what the powers in New York had said then." The decision: Mr. Mongelli was to return the subcontract to Duane Marine.

On May 30, 1979, Mr. Kaufman and Mr. Mongelli met again to discuss the job. The record shows that Mr. Kaufman misrepresented the treatment process.

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According to the tape transcript entered into the court record in Somerville, Mr. Mongelli told Mr. Kaufman: "I told these people I put you back into the shop." But he warned Mr. Kaufman, "If anything ever goes wrong, forget about it."

What, he wanted to know, would Statewide, which continued to haul some of the waste, do with the sludge?

"We process it," Mr. Kaufman replied. "It's gonna go to the landfill, it's gonna go to the landfill."

"To process it," Mr. Kaufman went on, "we bring it to Duane Marine." Then he added, the Ford waste would be taken to the Edgeboro, N.J., garbage landfill which was not designated for hazardous wastes.

"They're legal to take that?" Mr. Mongelli wanted to know.

Mr. Kaufman hedged. "That's between me and you and the wall," he said, adding that he intended to get a letter from another site to which Statewide would pretend to send the material while actually sending it to Edgeboro, which was cheaper.

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Mr. Mongelli said he had no better idea of how long it was before he assured him that it was. "The state D.K.'s it," he said, implying that he had state approval.

Earlier, the House investigation had raised questions about certification approving chemical dumping at Edgeboro issued by a former official of the New Jersey Department of Environmental Protection.

Mr. Kaufman said Ford was charged \$50 to \$150 a cubic yard for hauling of waste that was actually dumped at Edgeboro for 50 cents a cubic yard, the standard garbage fee.

Norman W. Bernstein, associate general counsel of Ford, said Ford had no knowledge of any bid-rigging or improper disposal of its waste. As far as Ford knew, he said, its contract award to ISA in 1979 followed normal competitive bidding procedures and ISA had submitted the low bid.

Mr. Mongelli did not return a telephone message left with ISA seeking an interview.

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#### Many Ways of Dumping Hazardous Wastes

In other cases, officials say, organized crime has conspired to dump chemical wastes into municipal sewers. Over more than four years, according to the recent New Jersey indictment in a case of Kit Enterprises, the Elizabeth concern poured at least 13 million gallons of largely untreated waste from industrial corporations, such as Clairol and Procter & Gamble, into the city sewer system.

Among those indicted was one of Kit's three incorporators in 1978, George J. Gregory, a deputy attorney general in the New Jersey Department of Environmental Protection from 1968 to 1977. Through a lawyer, Mr. Gregory has denied the allegations. Also indicted was Joseph A. Ferrara, an Elizabeth building inspector, who has been described in testimony before Congress as a member of the De Calabacante crime family.

According to Elizabeth police surveillance reports, Kit received chemical wastes from a wide array of haulers in the New York area, some of whom were implicated in other organized-crime chemical dumping schemes.

So-called commingling of hazardous wastes with garbage or fuel oil is another common means of illegal chemical disposal by organized crime, according to

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law-enforcement officials. Sometimes, they say, 55-gallon drums of hazardous waste are hoisted onto the tailgate of a regular garbage truck, crushed and disposed of with the trash.

#### Use of Transfer Stations

And often, they say, the commingling goes on at "transfer stations," where garbage is compacted for shipment to landfills or resource recovery plants.

Mr. Kaufman said in the interview that he knew of instances in which companies he was involved with transported hazardous wastes mixed in garbage.

Other hazardous wastes have reportedly been dumped in secret landfills throughout the area.

In Pennsylvania, state investigators are searching the grounds of a renowned Poconos resort, Mount Airy Lodge, for what an informant has described as a vast organized-crime toxic burial ground. The informant is William A. Carracino, former operator of the Chemical Control Corporation of Elizabeth, who has testified that he was busted a gunpoint by organized-crime figures in 1977.

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Mr. Carracino told Mr. Marino's crime committee in New York that, for three months in 1974, about 500 drums a day were delivered to Mount Airy, and that two of his drivers had contributed about 250 drums.

In another case, investigators from the Marino committee have been searching since 1981 for a pig farm near Middletown, N.Y., where another informant has

But John... the law  
corruption...  
would be... unfairly unfair.

Mr. Kaufman, the informer, was said to have been executive assistant to the president of Local 813 of the Teamsters representing private sanitation workers, and an executive of the Duane Marine Chemical Company, a disposal concern in Port Arthur, N.J., that was recently indicted for illegal dumping.

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"That's what they called us but we never disposed of anything," Mr. Kaufman said. Instead, he said, the company picked up drums of toxic waste from chemical companies and piled them up on its property. "Duane Marine was a complete fraud," he said. Yet, he added, "we were the first licensee under the new state manifest system."

Asked how that could be, he replied that the company president, Edward Deschreux, "was a very good friend of Dr. Buchanan, that's the only reason I know he got a license - we had no more right to be licensed than the man in the moon."

Reference Explained

The reference - which was then cut short by Mr. Steir as "hanging in a state grand jury investigation" - was to Ronald Buchanan, a former hazardous-waste official of the state's Department of Environmental Protection. Dr. Buchanan, who has since left the agency, could not be immediately reached for comment.

Mr. Kaufman testified that in the summer of 1978 he received a call from Mr. Albert, the alleged Tieri "soldier," who he said told him he had just taken over Chemical Control and wanted to form a chemical waste-haulers' association to protect territories and prices. The system, Mr. Kaufman testified, was to have

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been modeled after that by which solid-waste carters tied to organized crime run control garbage carting.

Asked by Representative Albert Gore Jr., Democrat of Tennessee, to comment on the connection between solid waste and toxic waste disposal industries, the informer said that one of the largest toxic waste disposal companies in the country, SCA Services, grew by absorbing existing carting companies, some of them controlled by organized crime. Mr. Gore said he would be investigating this further.

— Although Congress wrote the rules aimed at regulating hazardous chemical wastes from "cradle to grave," it will states to enforce the rules. But testimony at hearings before the House Commerce Committee's subpanel on oversight and investigations last month indicates that there may be some serious flaws in the rules themselves that won't serve to improve state enforcement efforts. Subcommittee staffer Benjamin Smethurst puts it this way: "The hearing showed that the hazardous waste

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manifest system can be beaten if you want to do it."

But the hearings also fueled the subpanel's concerns that state enforcement efforts might not be as vigorous as Congress intended them to be. The subpanel is so concerned, in fact, over the possibility of ineffective enforcement of the Resource Conservation and Recovery Act (RCRA) that covers hazardous waste disposal that the panel will hold more hearings in the next session.

One problem touched on at the hearing is the difficulty in monitoring the interstate carrying of the wastes. Smethurst cites testimony given at the hearing that Capital Recovery, the Delaware disposal firm that removed 270,000 gal. of waste from the New Jersey facilities of such large companies as Exxon Chemical and Union Chemicals, was a company that apparently existed just on paper. "We don't know where the waste was taken," Smethurst says.

However, he points to a critical flaw in the implementation of the RCRA rules. "It's supposed to be a closed system, with the waste generator, hauler and disposer sending copies of manifests to the state," he says. "But the simple way to beat the system is to show that the waste is destined to be shipped out of state."

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Another serious problem involves allegations that the ease of obtaining a license, and the amount of profit involved in illegal disposal, make the hazardous-waste disposal business attractive to organized crime. One witness noted that it cost only \$50 to get a hauling license from New Jersey. And two New Jersey state police detectives testified that disposing of the hazardous wastes was as easy as opening the valve on a tank truck and driving until the tank emptied.

Smethurst says the manifest system is "fraught with temptation" because a signature from the disposal company is the only requirement to demonstrate proper waste disposal. Surprisingly, a waste generator offered testimony on how organized crime enters the business. Harold Kaufman, an FBI informant and former employee of Ocean Marine (Perth Amboy, N.J.), a hazardous-waste disposal firm, told the subcommittee that some organized-crime figures in New Jersey made the move from garbage disposal to chemical-waste disposal—a logical extension of their business within the territory allegedly allocated to them for garbage disposal.

One trade source concurs with Kaufman's testimony. He agrees that "there is no way to monitor compliance with RCRA by either the federal government or the states," which are to bear the brunt of the enforcement effort. "Only a few states," says the source, "are knowledgeable enough to administer such a

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programs."

The key to enforcement, he says, is the section of RCRA that makes the generators of hazardous waste liable for its disposal. Under the rule, the source maintains, the Environmental Protection Agency can adopt what he refers to as IRS (Internal Revenue Service) enforcement procedures. "They can catch a couple of offenders and hang them in the town square." Drastic enforcement of the regulations early on will help compliance, he maintains.

As for the federal-state hazardous-waste strike force in New Jersey, the record is not complete. The subcommittee found minor evidence of mismanagement of federal funds, but a shortage of time left the panel with some unanswered questions. These are to be answered later, in writing. In all, however, the hearing turned up far more questions on the problems of hazardous-waste disposal than it did answers.

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Chemical Week

January 7, 1981

SECTION: TOP OF THE NEWS; Pg. 21

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HEADLINE: Congress is watching states on waste rules

HIGHLIGHT:  
Congress wants states to strictly enforce waste disposal rules

BODY:  
Although Congress wrote the rules aimed at regulating the disposal of hazardous chemical wastes from "cradle to grave," it will largely be up to the states to enforce the rules. But testimony at hearings before the House Commerce Committee's subpanel on oversight and investigations last month indicates that there may be some serious flaws in the rules themselves that won't serve to improve state enforcement efforts. Subcommittee staffer Benjamin Smethurst puts it this way: "The hearing showed that the hazardous waste

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However, he points to a critical flaw in the implementation of the RCRA rules. "It's supposed to be a closed system, with the waste generator, hauler, and disposer sending copies of manifests to the state," he says. "But the simple way to beat the system is to show that the waste is destined to be shipped out of state."

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...of... raised...  
...investigators say, the... are frequently

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falsified.

According to a recently published study by the Congressional Office of Technology Assessment, private industry and government at all levels are now spending between \$4 billion and \$5 billion a year to manage the regulated portion of hazardous waste - the estimated 250 million tons of new waste known to be generated each year.

Reports of criminal involvement in hazardous-waste disposal have been of growing concern to law-enforcement authorities in recent years. But it was not until hearings in 1980 and 1981 by the House subcommittee on oversight and investigations that many details became public.

Among this information was testimony by a New Jersey State Police official naming the president of what was then the country's largest hazardous-waste treatment company, SCA Services Inc. of Boston, as "an associate member of organized crime." The president, Thomas C. Viola, denied the allegation but soon resigned.

Help From an Informant

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The House panel's three-year investigation found that "for many years organized crime has controlled the solid-waste carting industry in New Jersey through 'acts of violence including murder.'" And it concluded: "Now organized crime has extended its influence into the lucrative area of toxic-waste disposal in New Jersey."

Meanwhile, what officials describe as a major breakthrough came in the late 70's, when the Federal Bureau of Investigation gained the cooperation of a high-level figure in the New Jersey waste industry, a stocky ex-convict with a long criminal record, gripes against some of his associates and a wish, he said, to rectify some of his years of crime.

For about two years, the man, Harold Kaufman, wore a concealed tape recorder to meetings of organized-crime figures where toxic disposal and other industry matters were discussed. He made regular reports of his activities to the F.B.I. The 59-year-old Mr. Kaufman is now a protected Federal witness living under a new identity.

Mr. Kaufman's information became the basis of a 1980 indictment against two New Jersey trade associations for waste haulers and 55 individuals and companies to monopolize the solid-waste industry through customer allocation and other antitrust practices.

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Guilty Pleas by 40

Forty of the defendants pleaded guilty last September in Somerville, N.J., and four were convicted in April. Other cases were severed for possible later trial or dismissed. Four other defendants, including a subsidiary of one of the three largest hazardous waste-handlers in the nation, Browning-Ferris Industries of Elizabeth, N.J., and its former vice president, John M. Senterpo, received a mistrial when the jury failed to agree on a verdict. They are scheduled to be retried in September.

Under questioning by the New Jersey Division of Criminal Justice in 1979 that became a part of the Somerville prosecution, Mr. Kaufman asserted that Ernest Palmieri, former business agent of Local 945 of the International Brotherhood of Teamsters, had been on Browning-Ferris payroll. Mr. Palmieri has been identified in Justice Department reports and Congressional testimony as a leader in the Fenovese crime family.

Rick Walton, Browning-Ferris's associate general counsel, denied that Mr. Palmieri had been on the payroll or that any money had gone to him.

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million tons a year for New York and New Jersey alone. However, a recent Congressional study said it could be as much as five times higher.

Not all the illegal chemical dumping can be attributed to traditional organized crime, officials say.

For example, according to legislative reports issued by Senator Ralph J. Marino, chairman of the New York State Senate Crime Committee, millions of gallons of hazardous chemical wastes have been poured into New York City's landfills by companies owned by Russell Mahler, a multimillionaire businessman. Mr. Mahler has been convicted of multiple criminal jumping violations in Pennsylvania and New Jersey and of dumping and bribery in New York.

According to the committee counsel, Jeremiah B. McKenna, Mr. Mahler appeared to operate independently of organized crime. In addition, small waste-hauling concerns have always been able, on their own, to ditch a load of paint sludge or other hazardous waste.

#### A History of Investigations

Mr. McKenna and other experts, citing a history of at least 15 separate Federal and state investigations going back to 1955, say it is clear that on

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the whole, the area's chemical-waste disposal industry is an offshoot of a refuse-disposal industry long controlled by organized crime.

The investigations have produced little in the way of convictions or penalties. Nevertheless, officials say, the inquiries appear to have convincingly documented, by wiretapped conversations and other evidence, Government contentions that the industry has long been based on an illegal and monopolistic system of customer allocation enforced by organized-crime leaders under threat of violence.

As described in court records, the system, known as "property rights," gives a carting company essentially a lifetime lease on its commercial customers, known as "stops." Unless the company itself decides to surrender or sell a stop to a competitor, the system provides for that customer to remain with that company - often regardless of the customer's wishes.

Often, transactions take place under duress, court record show. They tell of bombings and other sabotage of trucks and assaults and threats against uncooperative carting companies. Since 1959, at least 14 murders have been linked to the area's "trash wars."

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In one case cited in the New Jersey Criminal Justice Division's sentencing memorandum in a recent prosecution, Charles Macaluso, one of the region's largest waste contractors, was said to have been warned by a mob leader, Tim Flumara, that if Mr. Macaluso's company bid for the Newark municipal disposal contract in 1972, Flumara would kill him. Mr. Macaluso, who was identified in a Congressional report as a "soldier" in the Tieri organized crime family, did not bid.

#### The Details Begin To Come to Light

The chemical-waste disposal industry grew inevitably out of the solid-waste or garbage industry. Indeed, before passage of the Federal Resource Conservation and Recovery Act in 1976, the chemical-waste disposal industry was in its infancy. Garbage and toxic wastes were routinely commingled and buried in landfills or dumped in fields, in defiance of easily ignored local nuisance laws.

The resource recovery law and the Associated Toxic Substances Control Act, however, provided the first substantial regulations for the segregation and special handling of new categories of hazardous and toxic waste. They also provided for a uniform system of recordkeeping to track regulated materials from "cradle to grave." Because the regulations sharply raised the cost of proper disposal, investigators say, the records, known as manifests, are frequently

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HEADLINE: ILLEGAL DUMPING OF TOXINS LAID TO ORGANIZED CRIME

BODY:

The following article is based on reporting by Ralph Blumenthal and Ben A. Franklin and was written by Mr. Blumenthal.

Garbage companies dominated by organized crime have been secretly and illegally dumping vast quantities of dangerous chemicals throughout the New York area, according to law-enforcement authorities, court records and police informants.

The accounts tell of hazardous wastes flushed into suburban sewer systems, poured into garbage landfills, dumped into waterways, mixed into heating oil,

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stacked in warehouses and buried in unmarked pits.

Officials say it is impossible to assess the health effects of the illicit disposal. Such dumping has long been suspected, but confirmation and details of the schemes did not come until a recent series of investigations and prosecutions.

'Insurmountable Damage'

In addition to widespread dumping violations, the cases are said to have exposed the workings of organized crime, including instances of the corruption of public officials, intimidation and violence in the waste industry, fraudulent recordkeeping and the bilking of millions of dollars from giant corporations.

The toxic-waste industry has become increasingly dominated by organized crime, which is allowed to control the transportation and final disposition of toxic chemicals in an illegal manner will cause insurmountable damage to the environment, said Ronald Goldstock, the deputy attorney general in charge of New York State's Organized Crime Task Force.

The abuses, officials say, have continued to flourish despite stricter Federal and state monitoring and increasing awareness of the dangers of

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improper hazardous-waste disposal. In fact, they say, to some extent the tighter regulation has fostered criminal influence by raising the cost of proper disposal and thus the financial incentive for law-breaking. It has also driven criminal operators to more surreptitious and harder-to-detect schemes, such as mixing toxics into recycled fuel oil.

As public concern about the disposal of wastes has grown, Mr. Goldstock said, "the result has paradoxically been to drive organized crime to a more clandestine and invidious method of disposal."

Last week's findings of high levels of dioxin contamination in Newark and the identification of other possible sites in New Jersey are in no way connected to organized-crime dumping, state criminal-justice officials said.

No one pretends to know how much of the total hazardous waste generated is being improperly diverted or resold, but experts believe that it amounts to a substantial portion - perhaps 40 percent, according to one official New York State estimate. For legal disposal, hazardous wastes must be sent to special facilities licensed by each state.

The amount of hazardous waste generated in the region is itself in dispute. The Federal Environmental Protection Agency has put it at more than five

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